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Potter, (Hon.) Clarkson.

Remarks... delivered at the
celebration at Tammany Hall
July 4, 1871.

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REMARKS
OF
Hon. CLARKSON N.[†] POTTER,

DELIVERED

At the Celebration

AT
TAMMANY HALL,

JULY 4, 1871.

NEW YORK:

PRESS OF DOUGLAS TAYLOR, LAW, BOOK AND JOB PRINTER,
Commercial Printing House, cor. Nassau and Fulton Sts.

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REMARKS OF HON. CLARKSON N. POTTER, AT TAMMANY HALL, JULY 4TH, 1871.

GRAND SACHEM AND FELLOW DEMOCRATS:

I join with you in your mutual congratulations, at the peace and prosperity which obtain throughout this vast land. I share with you in the exultation which every American citizen must needs feel, when he contemplates the progress, the power, and the importance, of these United States.

But amid all these rejoicings have we no just cause for apprehension? Is there nothing in the present state of public affairs that demands our gravest consideration, and should even excite our most serious alarm?

We have passed through a great war; a great civil war that divided our people. Following those years of struggle, we have passed also through six years of Reconstruction; years which, like the dead swell that follows the tropical tempest, were perhaps more dangerous to the ship of State than even the storm of war itself.

During these years African slavery has been wholly abolished, and the franchise has been every where given to the negro. And, whatever our views in respect of the policy or justice of these measures may be, we must recognize and submit to the fact. Be the late amendments to the fundamental law by which these changes were prescribed never so irregular, or constitutionally invalid, it none the less remains that the amendments themselves exist, and have been accepted by the American People as part of the fundamental law of the land; exist if not constitutionally, then by virtue of revolution, and in spite of the Constitution; but, none the less, exist.

But these are not the only changes that, of late years, affect our government. That man, as it seems to me, fails to appreciate the spirit of the time, who does not see that our people, in their notion of the rights of States, and of the power of the Federal Government, have departed far from the views of their fathers.

Our fathers, who established this government, were the citizens of thirteen separate, independent sovereignties. Beyond their respective States they know no higher, or other allegiance; and

they desired none. In their day, communication between the States was comparatively infrequent, and trade and intercourse delayed and difficult. But, since their time, steam communication by land and by water has developed the trade and consolidated the relations between the States, to a degree of which they could not have dreamed. Men are born in one State and grow up in another, and die indifferently in a third. Nay, they sleep in one State, carry on their business in another, and have a home for recreation in yet another. So that State lines have been forgotten and State rights have come to be undervalued.

More than this, of the thirty-seven States, twenty-four never were original States at all. Nearly all of these have known no life that was not part of or connected with, that of the Federal Government. From their earliest settlement they were Federal Territories, living upon Federal bounty, controlled by Federal officers, subject in all things to Federal legislation; and when they have come at last to be States, their people cannot forget the territorial relations of their earlier years, and cannot be expected to have that State pride and that veneration for State rights which the citizens of the original States possess.

Taking advantage of these changes, and taking advantage also of the exigencies of the war, the party in power have usurped for the Federal Congress all the substantial powers of government. By their legislation, and by their policy, they have everywhere broken down the limitations upon Federal rights and Federal powers; and have centralized, consolidated, and enlarged the control of the general government. They have assumed to prescribe the conditions of suffrage, and, in a degree, to control the elections in all the States. Their Supreme Court, disregarding its own solemn decision, has, in effect, declared in favor of the absolute power of Congress over the contracts and property of citizens. They have seized upon the Banking Institutions and currency of the country, so that the ease or the scarcity of money, and the consequent ventures and sacrifices of the people are at the daily mercy of the officers of the Treasury. They have proposed to transfer the appointment for all minor offices connected with the trade of the country, such as harbor-masters, port-wardens, health officers, pilots, notaries public and the like, to Washington; thus to add, manifold, to a patronage now so vast that its demoralization is felt everywhere, and enables the President to discipline the scrupulous

and refractory in his own party, even to the remotest township. They have granted the public lands to corporations throughout territories larger than France, to the exclusion of actual settlers; thus creating artificial persons who will exercise absolute control over those vast regions, solely for the interests of their own shareholders and managers. They have begun to charter private corporations to carry on business in the States, and have thus invited a concentration at Washington of all the lobbies and corporate corruption of the country. And, finally, under the pretence of preserving peace and order in localities in which there was no constitutional complaint of resistance to the law, they have passed acts which enable the President to suspend the writ of Habeas Corpus, to use the army against the people and to subject nearly every charge of crime to trial in Federal courts; acts which, in effect, deprive the States of their sovereignty and independence.

So that, on this ninety-fifth anniversary of American Independence, we meet here in Tammany Hall to fling out the flag, and to rehearse the deeds and exalt the wisdom of our fathers; and—misled by the great material progress and prosperity of our people which have happened more in spite of, than because of, the conduct and changes in the government by the party in power—we lay our hands upon our breasts, and thank heaven that we are the freest and most enlightened people on the face of the earth. When, in truth, while we have preserved the name and kept the forms of government established by our fathers, we have departed from their spirit, and abandoned those limitations and restrictions that mainly made that government worth having; and are in fact to-day living under a government as centralized and absolute as that from which they revolted.

Now, if this condition of things is to continue; if, instead of a union of sovereign states, we are to have a consolidation of dependent provinces, the first matter to be remarked is the gross injustice and inequality to which New York and the other great States are subjected.

So far from being allowed her proportionate popular representation in the National Congress, there are some thirty senators who represent less population than are represented in the Senate by the two senators from New York. In that higher branch of the Legislature the vote of New York, with her nearly five million people, is neutralized by the vote of Nevada with scarce fifty thousand people.

Indeed, a majority of the people of these United States dwell in but eight States, having only sixteen senators. So that a majority of three-fourths of that body may at any time represent but a minority of the whole population.

And this fixed and constant inequality has been aggravated by the party in power. For, in the last House of Representatives (in which body legislation is mainly effected through committees), the chairmanships of five of the principal committees were given to Massachusetts, and not one to New York. So that this Empire State, which contains about an eighth of the entire population, and pays, I presume, one-fourth of the entire taxation, has far less control in the National Government than Massachusetts, with not a thirtieth of the whole population.

Of course, if this consolidation of government is to be continued, this inequality must be corrected. Either we must get back to the equal sovereignty of States, or forward, to their equal popular representation in both branches of the Legislature.

But if this inequality were corrected, and if the great States were admitted to their true relation and share in the consolidated Government, still the controlling questions which now exist would remain. Shall the powers of the Federal Government be limited or absolute—shall they be centralized or localized? And to which of the two great parties should that Government be committed, to those who favor or to those who oppose absolute and centralized government?

These vital questions present themselves to every citizen, white or black, rich or poor, pro-slavery or anti-slavery, republican or democrat, and demand his gravest and most serious consideration.

Is there then no danger in our situation? I do not mean that the abolition of slavery or the enlargement of the franchise, in themselves, endanger free government; not at all. The danger lies not in these facts themselves, but in the centralization and assumption of power by which they have been effected and followed. Can it be possible that a great nation, extending from the Arctic Circle to the Tropics, with every variety of race, and soil, and climate, and production, can be wisely and justly governed, not merely in national and general matters, but also in local and particular matters, by one Central Congress?

The Republicans do, indeed, tell us that the National Govern-

ment is a government of the people, and for the people; and can not, therefore, oppress the people. And if the people were but one person, this would be so; and, so far as the powers of a popular government are limited to those general measures that alike affect all the people, this may be said to be so. But where a popular government centralizes all power, and undertakes to prescribe for the control of every locality, and to interfere with the conduct of every man's private life, it ceases to be a free government. That government is freest which most leaves it to the people of each locality to determine for themselves the affairs of the locality. That is the best government which manages, while it preserves order, to govern least.

For my part, the evils which, as it seems to me, must result from continuing in that course of centralization and consolidation the Republican party are pursuing, cannot be exaggerated.

The absolute control over the franchise and property and contracts of citizens which Congress has asserted; the creation of private corporations to carry on business within the States; the pursuit of private legislation; the consolidation at Washington of all the power and patronage of government, can have but one result, and that result must be the most wide spread and controlling corruption.

Already the applications to Congress for private charters and grants are to be numbered at each session by hundreds, and when the Republicans, if they remain in power, shall have united at Washington, all the lobbies that now invest the various state capitals, and shall have joined to them all the combinations that may exist for financial legislation, land stealing, and official appointments, we shall have, and necessarily have, a condition of things, as much worse than the worst state of affairs which has or can obtain at any state capital, as the power of Congress is greater, and more extended, than the power of any State Legislature.

I say we shall necessarily have this, because no personal character in legislators can prevent abuses where a great mass of private legislation obtains. In a country so vast as this, the National Legislature, when it assumes to regulate the affairs of every locality, can not but act blindly and blunderingly, no matter how wise or good those who legislate may personally be. Indeed, when a single railway company owns a strip of land two thousand miles

long by one hundred and twenty miles wide, what chance, think you, there will be for wise or good men to be elected in all that vast region except those who are wise for, and good to, the railway company? No, fellow-citizens, no personal virtue, no private worth, in the man who steers a ship, will save the vessel, so long as he steers her into the maelstrom, or upon the rocks. And not the purity of an angel, far less the virtues of Grant and Morton and Butler and their Republican confreres, will suffice to save this nation, if it continues to be steered, as now, straight into the maelstrom of centralization, and upon the rocks of absolute power.

These are considerations which address themselves to every man, whatever his past views or party affiliations. The question now is, not what should have been, but what is. Let the dead past bury its dead. Whatever may have been a man's views in the past, it is for him now to decide whether he favors a limited or an absolute government; whether he supports the localization or the centralization of its powers; whether he would have that paternal control, with its tariffs, and monopolies, and sumptuary laws, and government oversight, which leaves the citizen no individual action or judgment, and of which France is the example and the warning; or that government which leaves to the citizen the utmost individual freedom consistent with public safety and order.

These, I say, are the questions and almost the only great questions that remain. And these questions are eternal in any system of extensive, popular government. Upon these questions, this great Democratic party has but one record and can have but one course—that of devotion to local and limited government.

Its path in the future, therefore, is plain. It departs from no principle. It takes no strange ground. It but applies to existing circumstances those fundamental principles which lie at the foundation of all really free governments. That man is a Democrat, be his past record and affiliation what they may, who seeks hereafter to limit and to localize the powers of government. That man is no Democrat, be he called what he may, who desires to centralize and enlarge those powers.

In these days, as in the past, the eyes of the whole country are turned to New York. But the history of the country is the record of her patriotism. Planted across the only natural gateway between the basin of the great lakes and the tide-waters of the Atlantic, she might, after the Revolution, have remained a separate

State, and levying toll upon all the products of the great West and the exchanges of the East, have amassed wealth beyond the riches of the Orient. But she choose rather to cast in her lot with her sister States, and from the foundation of the government to this day, her devotion to the common good has been as faithful, as generous. Her cry in the future, as in the past, will still be for Union and Liberty, and for that system of limited and localized government which the Union was formed to preserve, and without which it will, as I fear, prove not worth the having.

When the venerable Tammend sat in judgment upon the prisoners whom the Hurons had taken at Fort William Henry, his hopes were raised, and his heart was warmed by the presence of a young Warrior who bore upon his breast the saered totem of the tribe, and whose counsels were so wise, whose conduct was so just, and whose abilities were so great, that he seemed to the ancient Sage the reproduction of the greatest of the past leaders of his people. But, amid all his hopes, the ancient Sage asked nothing merely for himself. His prayer only was that, under this young chief, his people might regain their former rights, and be led back to the peace, the virtue, and the security of their better days.

So now the Democracy of New York—while looking with pride and hope to their young Uncas, the great chief whom they have exalted to the highest office in their gift—ask nothing merely for themselves, but will be found ready whenever the Democracy go again upon the war path, to follow whomever may be the selected leader of the party, earnest to do their part to bring back this people to Democratic principles, and to restore that system of limited and localized government without which, as I believe, true liberty cannot be preserved.



